

STATE M. DE SOTO CO.

SEP 7 10 55 AM '95

TRUSTEE'S DEEDBK. PG.
W.E. DAVIS CH. CLK.

BY VIRTUE of the authority vested in me as trustee in that certain Deed of Trust dated October 30, 1989, executed by A. Gene Stacy for the benefit of Citizens Bank, Byhalia, MS which Deed of Trust is duly recorded in Trust Deed Book 490 at page 521 of the records of the Clerk of the Chancery Court of DeSoto County, Mississippi and re-recorded in Trust Deed Book No. 501 at page 532 of the records of said office; default having been made in payment of the indebtedness thereby secured, at the request of Citizens Bank, the owner of the said indebtedness, after first having first advertised the time, terms and place of sale as prescribed by the statutes of the State of Mississippi, and according to the terms of said Deed of Trust, by posting at the East front door of the Courthouse of DeSoto County, Mississippi, a Trustee's Notice of Sale, and by publication of the same in The DeSoto County Tribune, beginning on August 8, 1995 and ending on August 30, 1995, I did offer the same for sale at the East front door of the Courthouse of said DeSoto County in Hernando, Mississippi, within lawful hours, on August 31, 1995 when Marie S. Moore appeared and bid for and on behalf of Citizens Bank, Byhalia, MS, the sum of \$108,000.00 which was the highest and best bid for the land.

WHEREFORE, in consideration of payment to me, as trustee, of the said sum of \$108,000.00 I do hereby convey, as trustee, unto

CITIZENS BANK

a Mississippi banking corporation, the following described land in DeSoto County, Mississippi, to wit:

A 5.902 acre tract in Sections 20 and 21, Township 2 South, Range 5 West, DeSoto County, Mississippi, particularly described as follows:

SEP 12 10 26 AM '95

BK 290 PG 386
W.E. DAVIS CH. CLK.
By: J. Stanley

Beginning at a concrete right-of-way marker in the East line of Ingrams Mill Road (State Project #F-006-1 (2)) at Station 37+50; thence North 38° 08' 55" East along the East line of Ingrams Mill Road 71.89 feet to a point; said point being on the line dividing Sections 20 and 21; thence North 37° 54' 10.3" East along the East line of Ingrams Mill Road 223.09 feet to a point at the intersection of the South line of Old Highway 78; thence South 47° 59' 21" East 730.41 feet to a point, thence South 84° 29' 16.7" West along the 1/2 Section line 63.08 feet to a 2" iron pipe at the Southwest Corner of the Northwest Quarter of Section 21, thence South 7° 23' 32.3" East along the line dividing Sections 21 and 20 364.52 feet to a point in the East line of U.S. Highway 78, State Project #F-006-1(2), thence Northwardly along the East line of said U.S. Highway 78 the following courses: North 25° 21' 16.3" West 386.34 feet to a 2" iron pipe; thence North 24° 37' 48.6" West 72.32 feet to a 2" iron pipe; thence North 11° 42' 43.7" East 269.32 feet to the point of beginning, containing 5.901 acres, more or less.

Proof of publication of trustee's notice of sale is attached hereto as Exhibit A and made a part hereof.

I convey only such title as vested in me as trustee.

WITNESS MY SIGNATURE, this 31st day of August, 1995.


D. ROOK MOORE, III, TRUSTEE

STATE OF MISSISSIPPI

COUNTY OF MARSHALL

Personally appeared before me, the undersigned authority in and for said County and State, duly qualified, commissioned and acting, D. Rook Moore, III, trustee, to me well known, who acknowledged to me that he signed and delivered the foregoing Trustee's Deed on the day and year mentioned therein, for the purposes therein stated, as his free and voluntary act and deed.

Given under my hand and seal, this the 31st day of August, 1995.


NOTARY PUBLIC

(SEAL)

My Commission Expires:

My Commission Expires June 1, 1996

GRANTOR:
D. Rook Moore, III
P.O. Box 356
Holly Springs, MS 38635
252-2252

GRANTEE:
Citizens Bank
P.O. Box 667
Byhalia, MS 38611
838-2146

THIS INSTRUMENT PREPARED BY:
D. ROOK MOORE III
P.O. BOX 356
HOLLY SPRINGS, MS 38635
601/252-2252

Index instruction: NE1/4 and SE1/4 of Section 20, Township 2 South, Range
5 West and NW1/4 and SW1/4 of Section 21, Township 2 South, Range 5 West,
DeSoto County, MS



BOOK 290 PAGE 389
TRIBUNE

P.O. Box 486
Olive Branch, MS 38654

601-895-6220

D.W. JONES
PUBLISHER

Proof of Publication

STATE OF MISSISSIPPI
COUNTY OF DESOTO

Personally appeared before me, a Notary Public in and for said County and State, D.W. Jones, publisher of the DeSoto County Tribune, a newspaper published in the City of Olive Branch and having a general circulation in said County, who being duly sworn, deposed and said that the publication of a notice of which a true copy is hereto affixed, has been made in said newspaper for a period of 4 weeks consecutively, as follows, to wit:

| | | | | |
|----------------------|---------------|-------------------------|----------------------|----------------|
| In Vol. <u>XXIII</u> | No. <u>40</u> | , dated the <u>30th</u> | day of <u>August</u> | , 19 <u>95</u> |
| In Vol. <u>XXIII</u> | No. <u>39</u> | , dated the <u>23rd</u> | day of <u>August</u> | , 19 <u>95</u> |
| In Vol. <u>XXIII</u> | No. <u>38</u> | , dated the <u>16th</u> | day of <u>August</u> | , 19 <u>95</u> |
| In Vol. <u>XXIII</u> | No. <u>37</u> | , dated the <u>9th</u> | day of <u>August</u> | , 19 <u>95</u> |
| In Vol. _____ | No. _____ | , dated the _____ | day of _____ | , 19 _____ |

and that the DeSoto County Tribune has been published continuously for a period of more than one year.

PUBLISHER

Sworn to and subscribed before me, this 30th
day of Aug, 19 95
(SEAL)

NOTARY PUBLIC

My commission expires MY COMMISSION EXPIRES FEB. 5, 1997, 19 _____
To Citizens Bank
for taking the annexed publication of 491
words or the equivalent thereof for a total of 4
times \$ 112.93, plus \$1.00 for making a proof
of publication and depositing the same for a total cost
of \$ 113.93.

NOTICE OF TRUSTEE'S

SALE OF LAND
UNDER AND BY VIRTUE of the authority vested in me, as trustee, in that certain Deed of Trust dated October 30, 1989 executed by A. Gene Stacy for the benefit of Citizens Bank, Byhalia, MS, said Deed of Trust recorded in Trust Deed Book No. 490 at page 521 of the records of the Clerk of the Chancery Court of DeSoto County, MS, recorded in Trust Deed Book No. 501 at page 532 of the records of said office, default having been made in the payment of indebtedness secured by said Deed of Trust, and the undersigned having been requested by Citizens Bank to foreclose said Deed of Trust, notice is hereby given that, I, as trustee aforesaid, will, within lawful hours, at the East front door of the DeSoto County Courthouse, at Hernando, Mississippi, on August 31, 1995, offer for sale and sell at public outcry to the highest bidder for cash, the following described land in DeSoto County, Mississippi, to wit:

A 5.902 acre tract in Sections 20 and 21, Township 2-South, Range 5 West, DeSoto County, Mississippi, more particularly described as follows:
Beginning at a concrete right-of-way marker in the East line of Ingrams Mill Road (State Project #F-008-1-(2)) at Station 37+50; thence North 38° 08' 55" East along the East line of Ingrams Mill Road 71.89 feet to a point; said point being on the line dividing Sections 20 and 21; thence North 37° 54' 10.3" East

along the East line of Ingrams Mill Road 223.09 feet to a point at the intersection of the South line of Old Highway 78; thence South 47° 59' 21" East 730.41 feet to a point; thence South 84° 29' 16.7" West along the 1/2 Section line 63.08 feet to a 2" iron pipe at the Southwest Corner of the Northwest Quarter of Section 21; thence South 7° 23' 32.3" East along the line dividing Sections 21 and 20 364.52 feet to a point in the East line of U.S. Highway 78, State Project #F-008-1(2); thence Northwardly along the East line of said U.S. Highway 78 the following courses: North 25° 21' 18.3" West 386.34 feet to a 2" iron pipe; thence North 24° 37' 49.6" West 72.32 feet to a 2" iron pipe; thence North 11° 42' 43.7" East 269.32 feet to the point of beginning, containing 5.901 acres, more or less.

The purchaser will be required to pay the full amount of his bid in cash at the time of the sale. Title to said property is believed to be good, but I sell and convey only such title as is vested in me as trustee. This property was previously foreclosed by Citizens Bank as evidenced by Trustee's Deed dated June 4, 1991 and recorded in Land Deed Book No. 238 at page 126; however, the said foreclosure erroneously described the recordation date of the subject Deed of Trust.

WITNESS MY SIGNATURE, this 2nd day of August, 1995.

/s/ D. Rock Moore, III, Trustee